



## FY2022 REVIEW OF MEDICAID BILLING REQUESTS

APRIL 28, 2022

Board of Education of Baltimore County Public Schools  
Office of Internal Audit

The purpose of this review is to assist the Office of Third Party Billing with conducting a self-monitoring process to ensure that BCPS is compliant with the Code of Maryland Regulations.

Refer to Exhibit A for the report distribution list.

## **BACKGROUND**

The Center for Medicare & Medicaid Services permits Baltimore County Public Schools (BCPS) to request reimbursement from Medicaid for health-related services and service coordination provided in school settings pursuant to the Individuals with Disabilities Education Act (IDEA). Medicaid will reimburse BCPS for some of the health-related services and service coordination provided to students that are included in the student's Individualized Education Program (IEP), if they are among the services specified in Medicaid law and included in the state's Medicaid plan.

In Maryland, the Maryland Department of Health (MDH) administers Medicaid reimbursements and the Maryland State Department of Education (MSDE) Interagency Medicaid Monitoring Team, which consists of staff from MSDE and MDH, monitors Medicaid reimbursements to Local Educational Agencies. In BCPS, the Office of Third Party Billing (Third Party Billing) has the responsibility for the billing of Medicaid services and for conducting a self-monitoring process to ensure that BCPS is compliant with the Code of Maryland Regulations (COMAR): COMAR 10.09.36, COMAR 10.09.50, COMAR 10.09.52, COMAR 10.09.56, COMAR 10.09.25, and COMAR 10.09.40.

## **OBJECTIVES**

The Office of Internal Audit (Internal Audit) assists Third Party Billing with the recommended self-monitoring process to ensure that BCPS is compliant with the applicable COMAR for Medicaid reimbursements. In fiscal year 2022, monitoring was completed by both offices. Internal Audit determined the sampling methodology and selected the samples for all reviews that were completed. Third Party Billing reviewed the documentation related to the health-related services, and Internal Audit reviewed the documentation related to the autism waiver services and the specialized transportation services. Internal Audit and Third Party Billing worked collaboratively to report the findings and recommendations that were identified as a result of their reviews.

## **SCOPE**

### Health-Related Services Review

Internal Audit received an electronic file from Third Party Billing of all Medicaid services billed for the period October 1, 2021 through October 31, 2021. Internal Audit randomly selected a sample of 60 students for the health-related services review. As of December 2, 2021, for these 60 students, there were 72 health-related services and 49 case management services billed for the period October 1, 2021 through October 31, 2021. Third Party Billing examined the clinical and case management notes, attendance records, parental consent forms, IEP's, encounter forms, and provider licenses/certificates to determine compliance with applicable COMAR regulations.

### Autism Waiver Services Review

Internal Audit received an electronic file from Third Party Billing of all BCPS students who were autism waiver participants at any time during calendar year 2021. Internal Audit randomly selected a sample of 25 students for the autism waiver services test work. Internal Audit reviewed the autism waiver file and the student contact log for each student as well as the diplomas and training certificates for the service coordinators to determine compliance with applicable COMAR regulations.

### Specialized Transportation Services Review

Internal Audit determined that the Daily Ridership Report Logs, used by Transportation personnel in previous years, were not used this fiscal year to record student's transportation services. Therefore, Third Party Billing used the BCPS Special School's *School Bus List log*, a document of the students who were transported by school bus, to submit for specialized transportation

services reimbursement. Internal Audit reviewed this document for their sample of transaction for the period under review. For FY 2022 testing, this document supports the transactions that are billed to Medicaid for specialized transportation services.

Internal Audit received an electronic file from Third Party Billing of all specialized transportation services billed for the period October 1, 2021 through October 31, 2021 as of February 25, 2022. Internal Audit randomly select a sample of 36 specialized transportation services. Internal Audit determined the names of the students who received the services and reviewed the applicable School Bus List, the encounter forms, the IEP's and the attendance records of each student identified as receiving the specialized transportation services to determine compliance with applicable COMAR regulations.

## **RESULTS – COMPLIANCE RATES**

### **Medicaid Record Documentation**

Internal Audit and Third Party Billing examined and evaluated randomly selected records for compliance with applicable State and Federal Medicaid standards for the reimbursement of paid Medicaid claims. The table below provides a breakdown of the total number of records reviewed for this sample.

Review of Medicaid billing sample for <b>October 2021</b>	Part B Records	Part C Records	AW Records
Service Coordination (SC)	49	N/A	25
Health Related Services (HRS)	72	N/A	N/A
Transportation	36	N/A	N/A

### **Part B: Medicaid Record Documentation**

#### **Autism Waiver (AW) Monitoring Results**

<b>Monitoring Criteria</b>		<b>Compliance</b>	
<b>COMAR Citation</b>	<b>Specific Criteria</b>	<b>Rate</b>	<b>Findings</b>
<b>AW Consent</b>			
10.09.56.03(A-1)	Risk Assessment – enrolled after July 2011	100.0%	
10.09.52.03(B)(5)(e)(iii)	Signed consent form for AW services	100.0%	
10.09.52.03(B)	Signed Parental Rights and Responsibilities form	100.0%	
10.09.56.03(B)(2)(e)	AW SC provider identified by name	100.0%	
<b>AW SC provided by appropriately licensed/certified professionals</b>			
10.09.52.03(C)(2, 3)	Certification or License meets current standards.	100.0%	
10.09.52.03(C)(5)	Bachelor's degree in a human services field	100.0%	
<b>Evidence of AW SC provider completion of initial training</b>			
10.09.52.03(C)(6)	Initial AW SC provider training documentation included	100.0%	
10.09.52.03(C)(7)	Annual AW SC provider statewide training documentation included	100.0%	
<b>AW Reassessment</b>			
10.09.52.04-2(C)	A POC review completed once every 12 months, at least	100.0%	
<b>AW Ongoing Service Coordination</b>			
10.09.52.04-2(B)(1)(a)	Provided by identified AW SC provider	100.0%	
10.09.52.04-2(B)(1)(a)	Contact with the AW participant or participant's parent/guardian	100.0%	
10.09.52.04-2(B)(1)(a)	Describes phone, written, or in-person mode of contact	100.0%	
10.09.52.04-2(B)(2)(a-m)	A contact note establishing services, linkages, progress, or delivery	100.0%	

Monitoring Criteria		Compliance	
COMAR Citation	Specific Criteria	Rate	Findings
10.09.52.04-2(B)(1)(b) & 10.09.56.04(X)	Quarterly direct observation of AW participant	100.0%	
10.09.52.04-2(B)(1)(b)	Annual visit to home of AW participant	100.0%	
<b>Documentation of AW services</b>			
10.09.56.04(S)	Monthly tracking logs show at least one monthly services	100.0%	
<b>Evidence of current treatment plan or reportable event on file</b>			
10.09.56.08 & 10.09.56.17	Treatment Plan-Family Consultation Services	100.0%	
10.09.56(.06-1 & -2) 10.09.56(.14 & .14-1)	Treatment Plan-Therapeutic Integration or Intensive Therapeutic Integration	100.0%	
10.09.56.06 & 10.09.56.15	Treatment Plan-Intensive Individual Support Services	100.0%	
10.09.56.10 & 10.09.56.19	Treatment Plan-Adult Life Planning	100.0%	
10.09.56.07 & 10.09.56.16	Treatment Plan-Residential Habilitation	100.0%	

**Parental Consent Monitoring Results**

Monitoring Criteria		Compliance	
COMAR citation	Specific Criteria	Rate	Findings
<b>Initial Parental Consent for SC</b>			
10.09.52.03(B)(5)(b) 10.09.52.03(B)(3, 5)	Initial parental consent and approval, signed after 3/18/13: SC identified by name	99.6%	For one of the 72 health related services reviewed, the parental consent for health-related services was not obtained using the updated language.  See <b>Finding #1 on page 8.</b>
<b>Annual MA Parental Update</b>			
34 CFR 300.154(d)(2)(v) 10.09.52.03(B)(3, 5)	Provision of written notification of available public benefits, provided each year	100.0%	
<b>Change of SC provider</b>			
10.09.52.03(B)(3)	Change of SC provider; specifically identified by name	100.0%	

**Service Coordination Monitoring Results**

Monitoring Criteria		Compliance	
COMAR citation	Specific Criteria	Rate	Findings
<b>Adequate documentation of SC payment requests</b>			
10.09.50.07(A)	Procedure code	100.0%	
	Date(s) of service	100.0%	
	Participant name	100.0%	
	Provider name and signature	100.0%	
<b>SC provided by appropriately licensed/certified professional</b>			
10.09.52.03(C)	License or certification meets current standards	100.0%	
<b>Adequate documentation of SC</b>			
10.09.52(03 & 04)	Provided by the approved SC provider	100.0%	
	Identified as phone, written, or in-person contact	100.0%	
	Identification of the participant or the participant's parent/guardian	98.0%	For one of the 49 case management services reviewed, identification of the contacted person was not included in the SC documentation.  See <b>Finding #2 on page 8.</b>
	Contact note describes services, linkage, progress, and/or service delivery	83.7%	For eight of the 49 case management services reviewed, provided SC documentation did not adequately describe supports that are related to the IEP outcome(s).  See <b>Finding #2 on page 8.</b>
<b>Documentation of 10 Day Meeting Notice prior to a formal meeting</b>			
13A.05.01.07(D)(2)	10 Day Meeting Notice	95.9%	For two of the 49 case management services reviewed, the 10 Day Meeting Notice for formal meeting was not provided.  See <b>Finding #3 on page 8.</b>

### Health Related Services Monitoring Results

Monitoring Criteria		Compliance	
COMAR citation	Specific Criteria	Rate	Findings
<b>Adequate documentation of HRS payment requests</b>			
10.09.50.07(A)	Date(s) of service	100.0%	
	Participant name	100.0%	
	Procedure code w/ units	100.0%	
	Provider name and signature	100.0%	
<b>HRS provided on dates corresponding to participant attendance</b>			
10.09.50.07(B)	Attendance records verified	100.0%	
<b>Provision of HRS by appropriately licensed professionals</b>			
10.09.50.02	License meets current standards	100.0%	
<b>HRS provided per IEP</b>			
10.09.50.04(A)	Duration of time (start/stop)	100.0%	
	Frequency of service matches IEP	100.0%	
<b>Adequate documentation of HRS</b>			
10.09.36.03(A) 10.09.50.04(A)	Follows accepted professional standards and applicable fed/state/local laws	100.0%	
<b>Provision of HRS by lesser-qualified providers include supervision by a fully licensed provider</b>			
10.09.50.04(A)	Supervisor name and signature	100.0%	
	Follows accepted professional standards and applicable fed/state/local laws	99.6%	For one of the 72 health related services reviewed, the assessment was provided and billed, but the report did not include the signature of the provider.  See <b>Finding #4 on page 9.</b>
<b>Transportation Services in accordance with IEP</b>			
10.09.25.04	Service identification on IEP	100%	
<b>Adequate documentation of transportation services</b>			
10.09.25(04 & 05)	Transported on same date(s) as approved HRS	100%	
	Transportation attendance; correct procedure code units	100%	

## **FINDINGS, RECOMMENDATIONS, AND MANAGEMENT'S RESPONSES**

- 1. Parental consent for health-related services was not obtained using the updated language.**  
One of the 72 health-related services did not have the parental consent, using the updated language, for health-related service.

**Recommendation:**

The provider must ensure that parental consent for health-related services is obtained using the updated language.

**Management's Response:**

The Office of Third Party Billing (OTPB) will use PowerSchool Special Programs Software (SPS) and the Third Party Billing (TPB) Schoology site to remind school staff to use SPS consent reports to determine students needing consents with the updated language. OTPB will continue to email IEP Chairs of students needing signed consents. OTPB will continue to provide professional learning synchronous and asynchronous trainings to all case managers (service coordinators) and IEP Chairs.

- 2. Inadequate documentation of case management services.**

One of 49 case management services reviewed did not identify the person contacted on the service coordination documentation.

Eight of 49 case management services reviewed did not include adequate description of supports that related to the IEP outcome(s) in the service coordination documentation.

**Recommendation:**

The Office of Third Party Billing should continue to provide additional training to ensure that case management services are fully documented, with all required information on the appropriate case management log.

**Management's Response:**

The OTPB will continue to review issues with IEP Chairs and case managers. OTPB will continue to provide additional asynchronous and synchronous trainings. OTPB will continue to review samples of case management documentation periodically. Annual trainings and ongoing support will continue to be provided as needed.

- 3. The 10 Day Meeting Notice for formal service coordination meeting was not provided.**

Two of 49 case management services reviewed did not provide the 10 Day Meeting Notice for the formal meeting.

**Recommendation:**

The service coordinator must ensure the 10 Day Meeting Notice for the formal meeting is provided.

**Management's Response:**

The OTPB will inform the Department of Special Education Compliance Team of the findings. The Compliance Team works with school-based staff to ensure compliance with IDEA and COMAR guidelines.



**4. The assessment was provided and billed, but the report did not include the signature of the provider.**

For one of the 72 health-related services reviewed, the assessment was provided and billed, but the report did not include the signature of the provider.

**Recommendation:**

The provider must ensure that the assessment report includes the signature of the provider.

**Management's Response:**

The OTPB will work with related services coordinator and supervisors to provide additional training. SPS is rolling out a new document template that asks the provider if the assessment is signed.

# EXHIBIT A

## FY 2022 Review of Medicaid Billing Requests Report Distribution List

Title		Location
Superintendent		BCPS
Deputy Superintendent		Deputy Superintendent
Executive Director		Department of Special Education
Director		Office of Transportation
Supervisor		Office of Third Party Billing
Chief Auditor		Office of Internal Audit